

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BERKLEY ASSURANCE COMPANY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 21-cv-5303
)	
ASSOCIATED INDUSTRIES)	
INSURANCE COMPANY, INC.,)	
)	
Defendants.)	

**DEFENDANT’S CROSS-MOTION FOR JUDGMENT ON THE
PLEADINGS TO DISMISS THE COMPLAINT**

Defendant, Associated Industries Insurance Company, Inc., (“Associated”) by and through its attorneys, Kennedys CMK LLP, hereby moves this Court, pursuant to Federal Rule of Civil Procedure 12(c), for judgment on the pleadings in its favor and against Plaintiff Berkley Assurance Company. Associated submits its Memorandum of Law in Support of Its Motion for Judgment on the Pleadings, which is fully incorporated by reference herein.

WHEREFORE, Associated Industries Insurance Company, Inc. respectfully requests this Court to enter judgment on the pleadings to dismiss the Complaint in this action in its favor and against Plaintiff Berkley Assurance Company, and provide such further relief as may be just and proper.

Dated: November 15, 2022

Respectfully Submitted,

ASSOCIATED INDUSTRIES INSURANCE
COMPANY, INC.

s/James J. Hickey
James J. Hickey (Illinois Bar No. 6198334)
james.hickey@kennedyslaw.com
KENNEDYS CMK LLP
30 South Wacker Drive, Suite 3650
Chicago, Illinois 60606
Phone: (312) 800-5000 Fax: (312) 207-2110